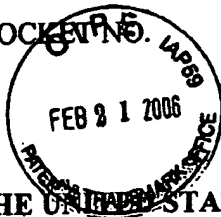


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PATENT APPLICATION
Serial No. 09/580,516

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Niranjan Tripathy, et al.
Serial No.: 09/580,516
Filing Date: May 25, 2000
Group Art Unit: 2145
Examiner: Melvin H. Pollack
Title: **ELEMENT MANAGEMENT SYSTEM WITH
AUTOMATIC REMOTE BACKUP OF NETWORK
ELEMENTS LOCAL STORAGE**

MAIL STOP: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

<p align="center">"EXPRESS MAIL" Express Mailing Label Number EV 733645396 US</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p><i>Willie Jiles</i> _____ Willie Jiles</p> <p>Date: February 21, 2006</p>

Appeal Brief

Appellants have appealed to the Board of Patent Appeals and Interferences (the "Board") from the decision of the Examiner mailed August 19, 2005, finally rejecting all pending Claims 1-21. Appellants filed a Notice of Appeal on December 19, 2005 together with a check in the amount of \$500.00 pursuant to 37 C.F.R. 1.17(b).

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Conclusion

Appellants have demonstrated that the present invention, as claimed, is clearly distinguishable over the prior art cited by the Examiner. Therefore, Appellants respectfully request the Board of Patent Appeals and Interferences to reverse the Examiner's final rejection of the pending claims and instruct the Examiner to issue a notice of allowance of all pending claims.

Appellants have enclosed a check in the amount of \$500.00 for this Appeal Brief. Appellants believe no additional fees are due. The Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Appellant



Chad C. Walters
Reg. No. 48,022

Date: February 21, 2006

Correspondence Address

Customer No. 05073